

Application Number: 09/896,667Docket Number: 10010930-1**REMARKS**

Upon entry of this Response, claims 1-4, 7-13, 16-22, and 25-27 remain pending in the present application. Claims 1, 10, and 19 have been amended herein. Applicants respectfully request reconsideration of the pending claims in view of the following remarks.

In item 4 of the Office Action, claims 1-4, 7-13, 16-22, and 25-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,055,522 issued to Krishna et al. (hereafter "Krishna"). A prima facie case of obviousness is established only when the prior art teaches or suggests all of the elements of the claims. MPEP §2143.03, In re Rijckaert, 9 F.3d 1531, 28 U.S.P.Q2d 1955, 1956 (Fed. Cir. 1993). For the reasons that follow, Applicants assert that Krishna fails to show or suggest each of the elements of claims 1, 10, and 19 as amended herein. Accordingly, Applicants request that the rejection of claims 1-14, 7-13, 16-22, and 25-27 be withdrawn for the reasons that follow.

To begin, claim 1 has been amended to recite as follows:

1. A method for formatting a publication, comprising:
associating, within a server, each of a plurality of content items with a select number of sub-templates selected from a plurality of sub-templates;
generating an instance file in the server, wherein the instance file specifies a template and a number of content items, and the instance file associating a respective one of the sub-templates with each of the content items; and
generating an output file using the template, the sub-templates, and the content items specified in the instance file, wherein the template includes an undefined region, and wherein the sub-templates are employed in placing ones of the content items in the undefined region, and, a plurality of different combinations of the sub-templates may be associated with the corresponding content items, the undefined region being compatible with any one of the different combinations of the sub-templates, thereby facilitating the creation of a plurality of documents having a corresponding number of different layout configurations using the same template.

As set forth above, claim 1 provides for the generation of an output file using the template, the sub-templates, and the content items....wherein the sub-templates are employed in placing ones of the content items in the undefined region. Also, claim 1 as amended further provides for the fact that a plurality of different combinations of the sub-templates may be associated with the corresponding content items, and the undefined region being compatible with any one of the

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different combinations of the sub-templates, thereby facilitating the creation of a plurality of documents having a corresponding number of different layout configurations using the same template. Applicants assert that this feature is neither shown nor suggested by Krishna. Specifically, Krishna discusses an automatic page converter for a dynamic content distribution publishing system. In this respect, Krishna states in part:

"The dynamic content publishing tool described in the patent application is available as a software program called FutureTense Designer (FutureTense is a trademark from FutureTense, Inc. of Acton, Mass). FutureTense Designer permits the publisher to first create a template file. The template file specifies how a web page is to be displayed even if the content is not completely known at the time that the web page is designed. In particular, the template file consists of a set of objects defined not only by the object content but also by the actions taken on or by such objects. The object content can be defined by storing the formatted content itself, as well as by reference to a location where the content file can be found. In this manner, a web page author may design the page by establishing a viewing region on the page, providing instructions for obtaining and formatting objects to be displayed in each region, and prescribing a set of actions by which the objects interact with one another." (Krishna, column 1, line 59 to column 2, line 8).

In this respect, Krishna provides for a system in which a viewing region or a page is populated with content. While Krishna describes the use of a "template file", it does not describe the use of a template in which a portion of the document comprises an undefined region. In this respect, the regions are specifically defined in terms of size and what content may be placed therein much like copyholes in various publications. Consequently, there is a single layout specified by a given template. Krishna does not show or suggest an undefined region being compatible with any one of the different combinations of the sub-templates, thereby facilitating the creation of a plurality of documents having a corresponding number of different layout configurations using the same template. The template as set forth by Krishna only has a single layout into which content is placed. It cannot support multiple different layouts as provided by the undefined region as set forth in claim 1.

Also, Krishna does not show or suggest the use of sub-templates as set forth in claim 1. The sub-templates are employed to provide the necessary placement information by which various content items may be positioned in a given document where the specific copyholes of such regions are not defined. In this respect, the

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undefined region of a document is dynamic in that it can receive not only more than one content item in a particular region such as a copyhole, but multiple different content items that appear in any one of multiple different layouts may be placed within the undefined region. The sub-templates employed ensure that the undefined region is populated in an ordered manner that is pleasing to the reader and in accordance with a publishing style.

Accordingly, Applicants request that the rejection of claim 1 be withdrawn. Also, Applicants also request that the rejection of claims 10 and 19 be withdrawn for the various reasons described above. Also, Applicants request that the rejection of claims 2-4, 7-9, 11-13, 16-18, 20-22, and 25-27 be withdrawn as ultimately depending from either claim 1, 10, or 19.

CONCLUSION

Applicants respectfully request that all outstanding objections and rejections be withdrawn and that this application and all presently pending claims be allowed to issue. If the Examiner has any questions or comments regarding Applicants' response, the Examiner is encouraged to telephone Applicants' undersigned counsel.

Respectfully submitted,


Michael J. D'Aurelio
Reg. No. 40,977

**Thomas, Kayden, Horstemeyer
& Risley, LLP**
100 Galleria Parkway, Suite 1750
Atlanta, GA 30339
Phone: (770) 933-9500